



CITY OF HAYWARD

AGENDA REPORT

Planning Commission
Meeting Date 01/08/04
Agenda Item 1

TO: Planning Commission

FROM: Norman Payne, Survey Engineer

SUBJECT: Requested Vacation of a Portion of Baumberg Court (formerly Arden Road, County Road #2636), Westerly of Baumberg Avenue: Sherman Balch (Applicant)

RECOMMENDATION:

It is recommended that the Planning Commission:

1. Find that the proposed vacation of a portion of Baumberg Court is categorically exempt from CEQA: and
2. Find that the proposed vacation of right-of-way is in compliance with the General Plan: and
3. Recommend to the City Council that it adopt a resolution to vacate a portion of Baumberg Court, reserving water and sewer easements.

DISCUSSION:

Baumberg Court is a portion of the street established as County Road 2636, Arden Road, as shown on the map of Tract 3576, filed with the County Recorder on December 30, 1974. The name of Arden Road (extending westerly of Baumberg Avenue) was changed to Baumberg Court by Council Resolution 75-090 on March 25, 1975. The applicant is requesting to vacate a portion of Baumberg Court. The California Streets and Highways Code defines "Vacation" as the complete or partial abandonment or termination of the public right to use a street, highway, or public service easement. The role of the Planning Commission is to make a determination that the vacation of a portion of Baumberg Court conforms to the General Plan.

Three parcels of land have frontage on the portion of Baumberg Court to be vacated. With exception of a state-owned parcel, this partial vacation does not impact access to the other parcels on Baumberg Court. After vacation, the portion of right of way currently designated as Baumberg Court would be incorporated into the three contiguous parcels. This vacation would also reduce the problems of recurring cleanup caused by trash-dumping on this end of this essentially unused roadway, since it will be fenced by the abutting property owner.

The agent of the one parcel whose access is affected, Linda Drake, Senior Land Agent with the Wildlife Conservation Board of the State of California Department of Fish & Game, was

contacted by phone. Her response was that their main access was at the end of Eden Landing Road with a secondary entrance off Arden Road opposite the intersection of Corporate Avenue. They currently have an old gate at the end of Baumberg Court that is never used.

There are currently two sewer lines and a water line within the area of the proposed vacation. Easements for the sewer and water lines will be reserved by and for the future use of the City.

General Plan

Economic development policies and strategies, Land and Infrastructure, states: "Create a sound local economy that attracts investment, increases the tax base, creates employment opportunities for residents and generates public revenues." The vacation of this street will return this unused land to the adjoining landowners for their use in the development of their properties, eliminate the need for ongoing cleanup and maintenance by the City, and return the area to the public tax roll. Thus, in staff's opinion, this proposal conforms to the General Plan.

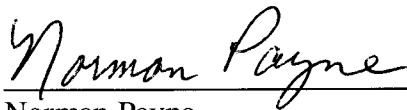
Environmental Review

Under the California Environmental Quality Act Guidelines (CEQA), Section 15305, Class 5, Minor Alterations of Land Use Limitations and City guidelines, the vacation of excess right-of-way is exempt from the Application of CEQA.

Public Notice

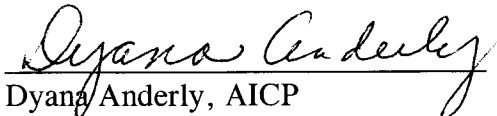
Property owners within 300 feet of Baumberg Court have been notified by mail, and the area has been posted as required by law.

Prepared by:



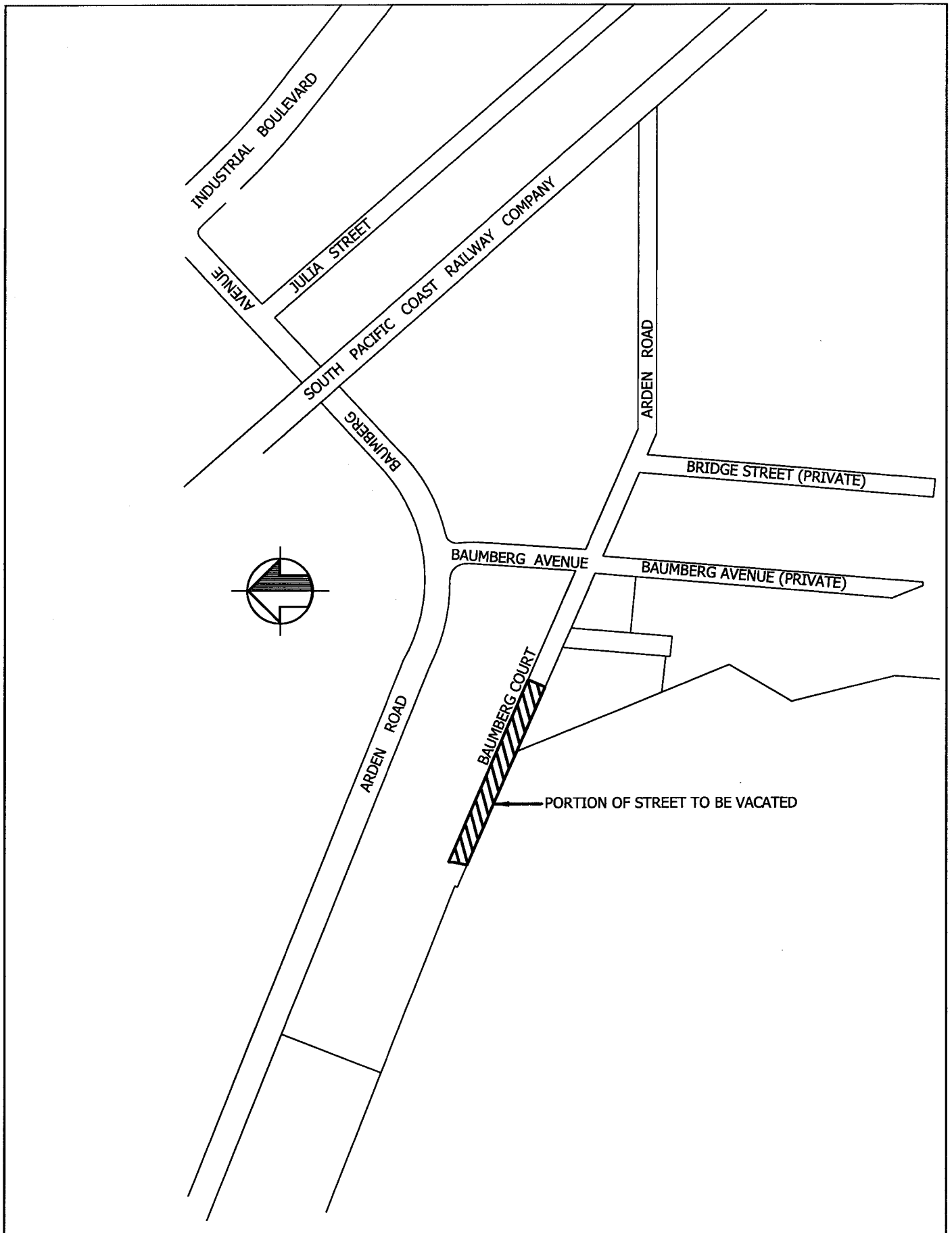
Norman Payne
Survey Engineer

Recommended by:



Dyana Anderly, AICP
Planning Manager

Attachments: Vicinity Map



			CITY OF HAYWARD ENGINEERING DIVISION		VICINITY MAP OF PROPOSED VACATION PORTION OF BAUMBERG COURT		DWG. NO. 03008	
			DRAWN BY: JNP	DATE: 12-18-03			FILED	
			CHECKED BY: JNP	SCALE: 1"=300'				
			APPD. BY	APPROVED				
REV	DATE	BY	CITY ENGINEER		DIR. PUBLIC WORKS		SHT. 1 OF 1	